

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 EB-11 OMB-01 TRSE-00 L-03 PM-07 NSC-07

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DRC-01 /130 W

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R 301726Z APR 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 2149

CINCUSAFE RAMSTEIN

CONFIDENTIAL BONN 06914

E.O.: 11652 GDS

TAGS: EFIN, GW

SUBJECT: OFFSET-AIRFIELD LANDING FEES AND UTILIZATION

(NOTAL)

1. THE REFTEL#FROM CINCUSAFE MADE REFERENCE TO CABLES ORIGINATING AT EMBASSY BONN BETWEEN APRIL 6 AND APRIL 11 CONCERNING THE DRAFT OFFSET AGREEMENT UNDER NEGOTIATION AT THAT TIME. CINCUSAFE REQUESTED CLARIFICATION OF MEANING OF TERM "UTILIZATION CHARGES" AS IT APPEARS IN PARTS OF THE NOW-CONCLUDED MINUTE AND CONFIDENTIAL PROTOCOL CONCERNING FRG ASSUMPTION OF "LANDING FEES AND UTILIZATION CHARGES" ASSOCIATED WITH US MILITARY USE OF GERMAN CIVILIAN AIRFIELDS. CINCUSAFE CONCERN WAS BASED ON STATED NON-USE OF THIS TERM IN US-FRG AGREEMENTS CONCERNING RHEIN/MAIN AND STUTTGART/ECHTERDINGEN AND CONSEQUENT CONCERN THAT CHARGES FOR FACILITIES, INSTALLATIONS, AND LAND UTILIZED BY US AT THESE AIRFIELDS MIGHT NOT BE COVERED BY TERM "UTILIZATION CHARGES". CINCUSAFE REQUESTED CLARIFICATION TO PERMIT PLANNING FOR FUTURE BUDGETARY REQUIREMENTS.

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2. ON APRIL 29 EMBASSY ORALLY CHECKED ITS UNDERSTANDING OF COVERAGE OF TERMS "LANDING FEES AND UTILIZATION CHARGES" WITH REPRESENTATIVE OF FRG FINANCE MINISTRY (ROCKE) WHO LED DISCUSSIONS BY GERMAN SIDE OF THESE MATTERS DURING THESE NEGOTIATIONS. EMBASSY INDICATED THAT IT UNDERSTOOD THAT IN VIEW OF BASIC GERMAN PURPOSE TO REMOVE IRRITANT OF FRG CLAIMS FOR INCREASED AIRFIELD-USE PAYMENTS FROM BILATERAL US/FRG RELATIONS FOR GOOD, QUOTED TERMS TOGETHER WERE TO ENCOMPASS ALL PAYMENTS TO BE MADE BY US UNDER THE TWO EXISTING AIRFIELD-USE AGREEMENTS AND ALL CHARGES FOR SPECIFIED USES IN FUTURE OF OTHER GERMAN CIVILIAN AIRFIELDS. ROCKE CONFIRMED THAT THIS WAS THE INTENTION AND UNDERSTANDING OF THE FRG SIDE AND THAT WHILE "LANDING FEES" WAS INTENDED TO COVER FEES FOR LANDING, THE TERM "UTILIZATION CHARGES" WAS TO COVER ALL OTHER FEES ASSOCIATED WITH LANDING OR USE OF AIRFIELDS, INCLUDING PARKING AND HANDLING OF PLANES, AS WELL AS CHARGES FOR FACILITIES, INSTALLATIONS AND LANDS UTILIZED BY THE US AT RHEIN/MAIN AND STUTTGART/ECHTERDINGEN, AND FOR ANY OTHER GERMAN CIVILIAN AIRFIELD THAT MAY IN THE FUTURE BE USED BY AIRCRAFT EMPLOYED IN THE SERVICE OF THE US FORCES. ROCKE SAID THE ASSUMPTION OF THESE COSTS BY THE FRG WOULD EXTEND NOT ONLY TO REGULAR USE OF THE NAMED OR OTHER GERMAN AIRFIELDS IN THE SPECIFIED MANNER, BUT ALSO TO USE OF GERMAN CIVILIAN AIRFIELDS DURING ONE-SHOT, LIMITED EXERCISES SUCH AS REFORGER, ALTHOUGH THIS WAS NOT SPECIFICALLY SPELLED OUT IN THE MINUTE OR ITS CONFIDENTIAL PROTOCOL.

3. ROCKE STATED THAT IF THERE SHOULD BE FURTHER US/FRG OFFSET AGREEMENTS FOR PERIODS BEYOND JUNE 30, 1975, THE FRG EXPECTS THAT ITS NON-TIME-LIMITED OBLIGATION UNDER THE CONFIDENTIAL PROTOCOL TO ASSUME LANDING FEES AND UTILIZATION CHARGES, AND ALSO REAL ESTATE TAXES, WILL BE CREDITABLE AS OFFSET. EMBASSY OFFICER STATED THAT THE GERMAN EXPECTATION WAS UNDERSTANDABLE BUT WOULD NEED TO BE REFLECTED IN THE NEGOTIATED LANGUAGE OF FUTURE OFFSET AGREEMENTS AS NO PROVISION TO THIS EFFECT WAS CONTAINED IN THE JUST-CONCLUDED MINUTE OR CONFIDENTIAL

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ITS CONFIDENTIAL PROTOCOL.

4. EMBOFF PARAPHRASED PARA 2 ABOVE, TO ROCKE ON APRIL 30 AND HE AGREED THAT IT ACCURATELY REFLECTED AGREEMENT AND INTENTIONS OF BOTH SIDES. EMBOFF INFORMED ROCKE THAT FRG EXPECTATION MENTIONED IN PARA 3 WOULD BE REPORTED TO THE DEPARTMENT AND THEREBY MADE A MATTER OF RECORD FOR APPROPRIATE CONSIDERATION

AT FUTURE OFFSET NEGOTIATIONS.
HILLENBRAND

NOTE BY OC/T: #AS RECEIVED

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